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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/869,952	10/22/2001	Rainer Stademann	112740-241	4243

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EXAMINER

AL AUBAIDI, RASHA S

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 12/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/869,952	Applicant(s) STADEMANN, RAINER	
	Examiner Rasha S. AL-Aubaidi	Art Unit 2642	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 17 and 18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 17-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed on October 17, 2005 has been entered. No claims have been amended. Claims 9-16 have been canceled. Claims 17-18 have been added. Claims 17-18 are pending in this application, with claims 17 and 18 being independent.

Claim Rejections - 35 USC § 102

2. Claims 17-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Galloway et al (US PAT # 5,940,492).

Regarding claim 17, Galloway teaches a method for call control in an exchange of a communication network, the method comprising the steps of: using an information element of a signaling message (see col. 2, lines 6-10 and col. 4, lines 1-19) for signaling between exchanges in the communication network (see col. 4, lines 4-11); embedding at least one administrative function (the claimed "administrative function" reads on certain requests and services, see col. 1, lines 44-57 and col. 2, lines 16-30) to the call control of the exchange at predetermined locations (this basically reads on having some mandatory information contained in the message as shown in Figs. 2, 3, and 4 and this information will control the routing of the signaling message, see also, col. 4, lines 22-53); evaluating and alerting (these limitations are inherent), based on said at least one administrative function, at least one content value of the informational element contained in the signaling message (this reads on the variable part 47, see for

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example, Fig. 3 and Fig. 4, see also, col. 3, lines 60-67) wherein the content value defines an operational characteristic of the informational element.

Claim 18 is rejected for the same reasons as discussed above with respect to claim 17.

Response to Arguments

3. Applicant's arguments filed 10/17/2005 have been fully considered but they are not persuasive.

On page 3 of the remarks, applicant states "Claim 8 was rejection under 35 U.S.C 112, second paragraph as being indefinite..." Note that claim 8 was not examined in the previous office action because the applicant already canceled claims 1-8 in a preliminary amendment filed on 10/22/2001.

Applicant argues that Galloway does not teach or disclose the feature "evaluating and alerting, based on said at least one administrative function...". Examiner respectfully disagrees with applicant argument since the examiner believes that the claimed limitations of "evaluating and alerting" are inherent features in Galloway.

Also, applicant argues "the present claims recite a dynamic expandability of the connection control". Note, that this limitation is not recited anywhere in the claim language. Thus, it appears that applicant is reading into the claim's language.

Examiner believes that all other arguments are already addressed in the above rejection.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rasha S AL-Aubaidi whose telephone number is (571) 272-7481. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F. Matar, can be reached on (571) 272-7488.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiner
Rasha S. Al-Aubaidi
Art Unit 2642
12/20/2005



BING Q. BUI
PRIMARY EXAMINER